ft Reports a Bill Retaining the Time Honored Convention Plan and Making the Seventh Tuesday Before Election a Uniform Primary Day in the State.

ALBANT. Feb. 21.-The legislative commission appointed last year to inquire into the operations of direct nominaions laws in other States reported to the Legislature to-night against Gov. Hughes's direct nomination scheme, the essential feature of which abolishes the party convention.

Senator George L. Mead of Rocheste was chairman and Assemblyman Jesse S. Phillips of Allegany county was the vice-chairman of this commission, and while they retain the time honored convention plan for nominating candidates in a bill introduced to-night on behalf of the commission radical changes in wisely select so many officers as now are the existing method of holding primaries in the elective list. How then can they the existing method of holding primaries and selecting delegates to conventions

At the outset the commission declares that even if direct nominations were advisable in this State, before such a scheme should be put into operation the Constitution should be amended so as to permit the use of the so-called short hallot through the elimination of the more unimportant elective officers. The commission's bill establishes a uniform primary day throughout the State, which will be the seventh Tuesday before election, usually occurring about the middle of September. This is the day now designated as primary day in cities and village of over 5,000 inhabitants, or in other words where personal registration is now re-The change which this would accomplish is that it would establish a primary day for the rural districts as rell as do away with snap conventions and with winter conventions.

Of course in a Presidential year in addition to the September primary day there will be a spring primary day to name delegates to the State convention which will name national delegates.

Now the parties hold primaries in separate places. Under the proposed new primaries will be held at one place and will be presided over by the regular election officers, and they must be held open for a specified time and not held at nconvenient times or hours. There is an enrolment now where personal registration is required, but hereafter there must also be an enrolment of voters in the rural districts on election day, or if they fail to enroll then they may enroll afterward by affidavit with the County

et public expense and delegates to all conventions shall be named at the primary at the one time. County, town and ward committeemen also must be elected by a direct vote at the primary. The members of a State committee will be selected by the delegates representing each district at a State convention as at present. The names of candidates for chiegates to conventions and committee-len shall be filed before primary day and any one can be a candidate for delegate or committeeman upon his own declaration or upon the petition of twenty five enrolled voters, and his name must be printed on the official ballot.

No convention can be held until ten days after primary day, and if there is no contest in the courts over delegates selected on primary day their certificate is conclusive, and if there is a contest the adjudication of the court is conclusive, which will render impossible the adjudication of the court is con-clusive, which will render impossible in future contests in conventions over the seating of delegates. Another im-portant provision does away with the secret balloting of delegates in the minor conventions and requires a delegate to counties in a convention. The commission makes these recommendations:

First-That a uniform primary day, no earlier than September 1, except in Presi-dential years, when it shall not be earlier than April 1, be established throughout the

Second-That I joint primary election for all parties be held at the regular voting places, be presided over by the regular election officers, be kept open not less than five hours, and governed by all the previsions of the election law relating to elec-tion day so far as the same may be appli-

Third-That all political parties recognized as such by the general election law be subject to the law.

Fourth-That there be an enrolment of party voters throughout the State; such anrollment to be made at the time of registration where personal registration is required, and on the day of general election or on registration day where personal registration is not required.

-That an official primary ballot be printed for each party at public expense pon which shall be placed the names of delegates to all conventions appropriately designated and so arranged that the party voter may vote for groups of delegates, for any of the delegates, according to his choice: in other words, a "straight" or

Sixth-That party, county, town and ward committeemen be elected by a direct Seventh-That the names of all candidates

for delegates to conventions and com-mitteemen be filed with appropriate officers nitteemen be filed with appropriate officers fees. if any, and without cost to the reasonable length of time before primary cellaneous handling of the papers has been discontinued.

conventions for electing of delegates to other conventions be abolished.

Ninth-That the date for holding politifixed by statute and the procedure therein be also governed by law; that all delegates a certificate issued by the custodian of the primary records to that effect shall be secure n their seats; that contesting delegations be heard by a Justice of the Supreme Court or county Judge of the county in which the Convention is held.

Tenth—That all voting in conventions by

belief be abolished and that upon call of the rell each delegate be required to ex-press openly his choice with respect to the various nominations; but State conventions may vote by counties if no objection is

Eleventh—That the number of delegates se several conventions be fixed by party the and that the unit of representation for

mined by party regulation. wellth-That the law relating to corpractices at elections be amended so

to include the primary election. Regarding the demand for primary

he committee and those associated with I entered upon the prosecution of their work with the sole desire to accomplish needed reforms in nomination methods and in election laws in the interest of the

people of the State. hey believe that it will be unwise, for the *presentative system, under which the colltical affairs of the State have been so ong administered, and it is confidently theyed that the measures proposed will de adequate remedy for conditions in political life and activity which have ome unsatisfactory, and the proposed complish the high-

selection of competent, conscientious, patriotic and faithful public servants for the MILK FUND TOO AT ALBANY administration of the affairs of the State.

More essential than a Statewide direc nomination system is the reform now being will be eliminated purely administrative officers and offices requiring technical officers and offices requiring technical and professional skill. If a system of direct nominations is ever to be adopted in this State and if the Constitution shall be so amended as to provide for the so-called "short ballot" it will be the part of wisdom and good statesmanship to let the former tendency, however, in the direct primary number of elective offices, the cry of those who seek to get into office being that the people should choose all of their public servants. With so many elective offices as there are now in this State it must be conceded by all thinking men that it is physically impossible for the average voter to make any intelligent discrimination fact that there is an agitation for a "short who are thinking along these lines are convinced that the voters at the election cannot select from so many candidates before

After the direct primary legislative investigation commission filed its report with the Senate and Assembly to-night William H. Wadhams, president of the Hughes Direct Primary Association of the State of New York, issued the following statement:

"The expected report of a committee composed entirely of declared opponents composed entirely of declared opponents of the direct primary system has been filed in which they advocate the con-tinuance of the convention system. This report is the last word for a system which is already doomed. Recent disclosures have made clear methods which the peo-ple of the State will not longer tolerate. There is a widespread demand that there There is a widespread demand that there shall be a representative system of government in which the representatives shall be chosen by the people and be responsible to them and under which they will be required to account for their nominations to the members of the political parties whom they represent. The litical parties whom they represent. The old system of the selection by a ring of a few men, or of self-nomination through the machinery of conventions is directly responsible for the conditions which are shown to have existed in this State.

No adverse report at this time. are shown to have existed in this State. No adverse report at this time can save that system or prevent the adoption of a method of making nominations which will do away with conditions that have produced these results. It is for this reason that Gov. Hughes has stated in his message to the Legislature and in his speeches that the direct primary is the foremost issue before the State. The convention system cannot be patched up.
This is no time for makeshift or pretence.
The issue must be met squarely and the obvious remedy applied."

Attorney-General Appeals the Thaw Case.

ALBANY, Feb. 21.-Attorney-General O'Malley has taken an appeal from the order made by Supreme Court Justice Tompkins some days ago appointing William Van Amee of Orange county referee to take evidence in the application of Mrs. Mary C. Thaw for the transfer of her son, Harry K. Thaw, from Matteawan State hospital to another insane asylum. The appeal will be heard by the Appellate Division of the Second Department and the taking of evidence before the referee will be stayed until the question of the validity of Justice Tompkins's order is determined by the Appellate Division.

NEW CITY LAWYERS.

Five of Mr. Watson's Assistants Retire and Are Replaced.

Corporation Counsel Watson has appointed these new assistants: Frank Julian Price, salary \$5,000; Charles J. Nehrbas, \$4,500; Dudley Field Malone, \$4,500; Jesse W. Johnson, \$3,000, and John B. Shanahan, \$3,000. They take the places of Stephen O'Brien, Daniel G. Whitney, Jerome W. Coombs, William Whitney: Jerome W. Coombs, William A. Mathis and David Rumsey, resigned.
Mr. Price in 1899 and 1900 represented the Twelfth district of Kings in the Assembly. Charles J. Nebrbas is a son of the late Justice Nebrbas of the City Court. Mr. Malone has been associated with the firm of Battle & Marshall. Mr. Johnson was secretary of the committee of twenty-five which had charge of the McKane election frauds in 1894. Mr. Shanahan was at one time in the law office of Mayor Gaynor.

FERRY HEAD REMOVED.

ammissioner Tomkins Will Try to Cut Down the Deficit.

Dock Commissioner Tomkins removed esterday John S. Ambrose, superinendent of municipal ferries, salary \$5,000. Mr. Tomkins would not give any specific reason yesterday, but he intimated that he was going to reorganize the ferry staff and see if he can't cut down the deficit. He said yesterday that the ferries deficit. He said yesterday that the ferries were overmanned, that many of the employees were overpaid and that the repair bills were far above what they ought to be. While the South Brooklyn ferry could not be expected to be self-supporting, because it was a truck ferry, it was different with the St. George line, which was a passenger ferry and which ought to be made to pay its way or nearly. its way or nearly.

Nicholas in Charge of Real Estate Trans-

Register Grifenhagen has appointed George H. Nicholas under bond to furnish to the newspapers such information as they desire about real estate transfers, mortgages and so on, "subject to lawful

lebs for Faithful Brooklyn Democrats. County Clerk Henry P. Molloy in Brooklyn yesterday appointed Thomas F. Brad-Dennin clerks in the naturalization bureau at salaries of \$1,800 a year. The three appointees are active Democratic workers in their respective districts and were recommended for the jobs by County Leader McCooey.

A Three Weeks Holiday.

The Holiday of a Lifetime! THREE weeks spent steaming through calm tropical seas on one of the mor luxuriously appointed of ocean-going steam-

An opportunity given for visiting one of the world's Fruit-Gardens — Jamaica, the Queen of the West Indies.

The new Myrtle Bank Hotel now open.

Three whole days, with the steamer as your floating hotel, spent in seeing for your-self the marvels wrought by men, machinery and American enterprise on the Isthmus of Panama

The entire three weeks will cost you only

\$125. If you have not the time to spar you can cruise to Jamaica and back in so days for \$85. Weekly service from New York, Boston, Philadelphia and New Orleans.

From New York: Metapan - - February 24
Zacapa - - - March 3 UNITED FRUIT COMPANY, 17 Battery Place. New York, Or Any Steamship Ticket Agency.

ATTORNEY-GENERAL ON THE TRAIL OF INFLUENCES.

nother Milk Concern Caught Making Money and Then Making Less When Competition Compelled It to Put the Price Back From 9 Cents to 8.

The officers of the Mutual Milk and ream Company had the stand vesterday at Deputy Attorney-General John B. eman's investigation of the milk trust efore Referee William G. Brown.

Stephen C. Millett, a director of the com pany, said that he knew of no combination at any time in which his company was processed for the fixing of prices. The reason for the recent raise in the retail price of milk was necessity; there was no sked why they had subsequently gone back to 8 cents and it was explained that the competitors of the company had forced them back by underselling and taking

Mr. Millett said that his company, which was espitalized at \$1,200,000, had about thirty-five creameries in this State. "Your company made more in 1909 after the price had gone up than it did before,

isn't that so"? asked Mr. Coleman. Mr. Millett admitted that it had made nore money, but explained that this was due not so much to the advance in the

price as to various economies. Referee Brown then asked the witness if it was true that most of the milk companies waited to hear what Borden's prices were going to be for a certain period before they made their contracts. Mr. Millett replied that there was no way of knowing positively but that it was pretty

knowing positively but that it was pretty well understood to be that way. He knew of no dealer who had ever reduced or raised the price ahead of Borden. Borden's price had a great influence.

James J. Kavanaugh, who rose from the rank of a driver to be president of the company, was next called. He said that the company had three different prices for the farmers at their thirty-five creameries. The prices at about one-half of these creameries were controlled by Borden; in six or eight more the prices of the Consolidated Milk Exchange controlled, and in the remainder they had independent prices fixed by themselves on the basis of the butter and cheese markets in those particular districts.

Mr. Coleman asked if it was true that small and large stockholders of the company got milk for less than the price to the public. Mr. Kavanaugh replied that some years ago they had got milk for five

pany got milk for less than the price to the public. Mr. Kavanaugh replied that some years ago they had got milk for five cents wholesale and six cents retail, and that more recently when the price was eight cents the quart the rule had been that the stockholders could get it for seven cents, and when it went up to nine cents they got it for eight cents.

Mr. Coleman asked if the Mutual Milk and Cream Company was a member of the

Mr. Coleman asked if the Mutual Milk and Cream Company was a member of the Milk Dealers Protective Association, a semi-secret organization formed osten-sibly for the collection of lost milk cans but believed to be the organ of the trust which looks out for legislative and general interests. Mr. Kavanaugh replied that the company was not a member but had a the company was not a member but had a representative named Henry Arnstein, who was a member. This representative paid \$500 of the company's money to this association apparently as an assessment or insurance of 25 cents on a can to see that the can was not lost or stelen. Mr. the can was not lost or stolen. Mr. Kavanaugh said that he knew nothing about what use the money was actually put to, but thought that there was an effort to influence legislation, especially in reference to the 12 per cent. solids requirement of law, which was thought by milk dealers in general to be unfair. Mr. Arnstein will be asked to appear at a sub-sequent hearing to testify as to this.

NO ELEVATOR FOR HER.

Progress of a Stout Woman Climbing Twenty Stories With a Taxleab Waiting. A woman whose age does not concern her half so much as the size of her waist by which is meant that she is still young but heavy, entered the Hotel Gotham a day or two ago and sent her card to a friend stopping there. The telautograph started toward the elevator in charge of a

When she reached the door she balked. "I am not going to get into that ele-vator," she said. "Elevators are unsafe, and if the cord should break where would

The bellboy did not attempt to answer this, but said that the rooms of her friend were on the twentieth floor. "It makes no difference." she exclaimed,

I am going to walk. The beliboy almost fell over, but he was under orders, so up the stairway they started. When they reached the top of the thrid/floor the woman was compelled to halt and sit on the top step until she got her breath. Then up they went two flights higher and again there was another halt. When they reached the seventh floor the woman plumped herself down again and the bell boy hurriedly sought a telephone.

"Say." he called downstairs, "I've go weak heart and I'm dead beat, Besides I would like to get back in time for dinner. Can't you send somebody up here to finish dis Alp climbin'?"

A reenforcement was immediately sent up by the elevator, but before this the woman wno was expecting the caller

woman wno was expecting the caller telephoned to the office.

"Where is Mrs. Blank, who is calling on me?" she demanded. "I think this outrageous. It has been ten minutes since she was announced."

The clerk thought that the caller had taken the elevator, but as he started to investigate the message came from the tired beliboy. So they called up the expectant hostess and reported that her friend had passed the seventh floor going up. In another five minutes she telephoned again and the clerk, by using another telephone, was able to report the other on the twelfth stairway and still going up. Before her visitor reached her the woman on the twentieth floor called up again.

When the caller left she refused to take the elevator down and walked all the way, this time alone.

"Ill bet in spite of her kicking at the elevator that woman came here in an actiomobile," commented the clerk. He went to the office window and looked out. "What did I tell you?" he exclaimed.
"A taxicab too. And that taximeter has charged her about \$2 just for walking up and down stairs."

Henry Brummer, a flour dealer of 510 Ridgewood avenue, Brooklyn, fell dead yesterday in the civil part of the County

yesterday in the civil part of the County Court just after presenting himself for jury duty. Judge Jackson had taken his seat on the bench and the clerk was calling off the names of jurors. Brummer was seen to sink to the floor. He died of apoplexy. Mr. Brummer was born in Germany sixty-two years ago. For forty years he had resided in this country and for seventeen years in Brooklyn. He is survived by his wife, five daughters and one son.

Dinner to Judge Contan. Lewis J. Contan, for sixteen years Justice of the City Court, city of New York, will be welcomed back to the practice of law by 125 of his legal and business friends at a dinner at Delmonico's on Thursday evening next. Judge Dayton of the Supreme Court will preside. Many judgee and prominent lawyers will attend. Judge Conlan is a governor of the Manhattan Club.

DIAZ IN PERFECT HEALTH.

esident of Mexico Spry at a Builfight Despite His Seventy-nine Years. MEXICO CITY, Feb. 21 .- It is authoritatively stated here that there is no foundation for the report that President Diaz is ill and that fears are entertained that he will not recover. His physician says that he is in perfect health and his physical condition is equal to that of an ordinary

man of 50. As an evidence of his good health President Diaz attended the builfight esterday and was as spry on his feet as boy, although he is in his eightieth year.

ADMINISTRATION IS QUIET.

So Says Bellamy Storer in Comparin Taft Rule With Roosevelt Rule.

Bellamy Storer, ex-Ambassador Austria-Hungary, was in New York yesterday on his way to Washington, where he will deliver an address to-day efore the Catholic University. Storer said at the Wolcott that he had spent some time living in Boston lately and that he liked it. When he gets through with his visit to Washington he is going out to Cincinnati to see what is

going on the Chemnat to see what is going on in Republican politics.

As it was useless to ask Mr. Storer whether he belonged to a "Back from Elba" club, the question was put to him how he thought President Taft's admin-istration compared with that of his pred-

ecessor.

"Mr. Taft's administration is quiet,"
Mr. Storer answered. "There is a very
commendable lack of the fraing to be it. The situation in Ohio is going to be very interesting. I was out there to vote, and of course I go out there two or three and of course I go out there two or three times a year on account of business.

"I have always been in favor of the American Government owning its own embassies," said Mr. Storer, in answer to a question. "The advantage of having a well known situation as a permanent headquarters is great if only for the impression it makes upon the public of a foreign city.

"A very important man in Spain once told me that if the United States had had a permanent legation in Spain he believed it would have had the effect of preventing the Spanish-American war.

preventing the Spanish-American war.
Up to this time the American Ambassador's house in a foreign capital has been
his own. It should belong to the American public. If Congress were to try the
effect of building one house in a foreign
capital I think the result would be such that it would authorize putting up such buildings in most of the capitals where we have envoys."

PAULHAN TO APPEAL.

udge Hand to Be Asked to Accept Bond and Let the Aviator Fly.

Clarence J. Shearn, counsel for Louis Paulhan, the French aviator, said ves terday that when Judge Hand of the United States Circuit Court signs the order to-morrow afternoon enjoining his client from exhibiting Farman and Blériot machines in this country because of alleged infringement on the Wrights' patent the Court will be asked to lift the injunction and accept a bond pending

an appeal.

The Wrights in their affidavit ask for the profits and threefold damages. It is understood that Paulhan will continue his flights in this country until April 1. Glenn H. Curtiss, against whom Judge Hazel of Buffalo granted a preliminary injunction in favor of the Wright brothers.

is also under bond.

Augustus Post, former secretary of the Aero Club of America, has returned from Hammondsport. N. Y., where he made aeroplane flights with Glenz H. Curtiss over Lake Keuka. Six of the flights were made with the rudder tied fast and sealed, the object being to demonstrate that it is not necessary to operate the rudder in conjunction with the supplementary wing tips, which the the supplementary wing tips, which the Wrights in their suit against the Herring-

on their patent.

In each case, Mr. Post said, the flights were made in a straight course, the longest being one-half mile. It is a question whether a turn could be made under these conditions. This is the first time that Mr. Curtiss has carried a passenter in his machine.

FOUND ACTRESSES EASY.

Nance O'Nell, Billie Burke and Others Gave Money for a Mythical Cripple.

Michael Dowd of 1088 Park avenue was held in \$300 bail in the Jefferson Market court yesterday for examination of William A. Kirk of 150 Lafayette ave-

showing the picture of a massenger boy named James Conroy, who after breaking his leg had crawled a mile to deliver an important message. Dowd said that

important message. Dowd said that he was soliciting subscriptions for Conroy's benefit and had a list of subscriptions from Nance O'Neil, Mrs. Pet Campbell, Billig, Burke. Mary Mannering, Marjorie Wood, Julia Sanderson and others.

Dowd was arrested at the stage door of the Liberty Theatre just after he had obtained \$5 from Miss Sanderson, according to Forbes. The cass was put over until Wednesdey, when Forbes says Miss Sanderson will be in court.

According to the police Dowd was arrested just before Thanksgiving for collecting funds for a fake messenger boys' dinner and was displarged on his promise that he would go to work and stop begging.

TRAINS BUMP IN A FOG. seven Persons Hurt on the Elevated Road in The Bronx.

Seven persons were slightly hurt in a collision on the Third avenue elevated road at 177th street yesterday morning at 10 o'clock. A northbound local run by Motorman H. P. Bond ran into a train ahead.

It was foggy and the traffis were running slowly and close together. The train in front stopped suddenly and Bond did not have time to put on brakes before his train crashed into it. The two forward cars of Bond's train were thrown to the right and might have fallen to the

to the right and might have fallen to the street but for the guard rail. Bond was caught under wreckage in his box and it took policemen and employees of the road some time to extricate him. His wounds were dreased at the Fordham Hospital. Then he went to the Morrisania court, where he was held in \$1,000 bail for his appearance in court on February 28. All of the persons who were hurt except one were in the first car of the train that Bond was running. One was in the last car of the train ahead. The two rear cars of the forward train were damaged. Firemen with ladders took the passengers to the street.

Cunningham Crusading on East Side Now. Charles Cunningham, the policeman recently transferred from The Bronz to the Eldridge street station house apparently because of his eagerness in making excise arrests, arrested three East Side bartenders on Sunday. They were held for trial by Magistrate Corrigan in the Essex. Market police court, one on Sunday and two yesterday. The three were Samuel Goldberg of 54 Rivington street, who tends bar in Carl Libowitz's saloop at 52 Eldridge street; Jacob Bronstein of 292 Broome street and Anthony Morse of 19 Second evenue, who tends bar for H. F. Schilling.

PARKER ARGUES FOR LOCKOUT STEAMFITTERS UNION STRUCK

Employers Association Says the Strikers Were Parties to the Alleged Conspiracy for Years and Went Out in Violation of Arbitration Agreement.

AND ALLEGES CONSPIRACY.

Alton B. Parker, who was counse or Samuel Gompers and John Mitchell in the Bucks boycott case in which they were convicted of contempt of court for continuing the boycott, appeared yesterday for the Building Trades Employers Association before Suprem Court Justice FitzGerald in the argument Court Justice FitzGerald in the argument to make permanent an injunction obtained against the employers' association by the Enterprise Union of Steamfitters on the ground that in locking them out of employment the employers were guilty of conspiracy.

Seventh avenue in time to see the highwayman running past the Hotel Bayard. The man jumped on a Seventh avenue car. Cavanagh was right behind him and arrested him in the car.

Swift and his conpanions readily identified the man. He said he was Edward the was Edward the was Edward the was Edward the women scream and reached the wayman running past the Hotel Bayard. The man jumped on a Seventh avenue car. Cavanagh was right behind him and reached the wayman running past the Hotel Bayard. The man jumped on a Seventh avenue car. Cavanagh was right behind him and arrested him in the car.

guilty of conspiracy. The case originated from the notice sent by the Building Trades Employers Association to its members not to employ members of the steamfitters' union who had struck on January 3 for \$6 a day instead of \$5. Two individual plaintiffs are men discharged from working on the new wing of the Methodist Episopal Hospital in Brooklyn by an independent sub-contractor on the order of John Kennedy & Sons, the general contrac tors, who are members of the defendant association.

growing stronger and stronger and bolder and bolder as the laws against corporations have not been enforced for several counsel for the plaintiffs. "Until this remarkable organization was formed it was recognized that it was against the law to practise coercion. Now the association is reaching out and has become an interstate affair, controlling all the large labor employers in Greater New York, Newark and Jersey City." Mr. Shearn said that to make the coercion years past," said Clarence J. Shearn, Shearn said that to make the coercid effective the association requires a bond of \$1,500 from each member that he will obey the orders and decisions of the asso-

ciation and its board of governors.

Mr. Parker said that the association is formed of thirty-two labor unions and thirty-two master employers' associations, with two delegates from each. ciations, with two delegates from each, making 128 persons in the body. Each representative union and each master employers' association became parties to the agreement signed, by which each could select an umpire to settle differences if its own small board of arbitration was unsuccessful. The final course was an appeal to the general body from the decision of the umpire.

"This plaintiff union, unmindful of its obligations under the agreement, violated the agreement," and Judge Parker, "and also the general arbitration plan on which the whole structure rests for its success, although the agreement, was that no union as a single union could order a strike or leave its work. The employers also agreed not to lock the union men out.

also agreed not to lock the union men out.
This union struck on the ground that the agreement had expired. The particular agreement would have expired unless provision had been made for it to continue. The agreement provided for a tinue. The agreement provided for a renewal and a permanent mutual board

When the steamfitters' union the executive committee of the board of arbitration, half of them from unions ordered the men-back to work, and when they refused to obey the association took the position that they should be locked out. It couldn't consent to a breach of the agreement or the whole scheme would

he agreement or the whole scheme would break down.

"The union cannot now ask for equit-"The union cannot now ask for equitable relief under the agreement, because it has broken away," said Judge Parker, "and it can't say that the agreement is conspiracy against it. It participated in the agreement for sever —ars."

Affidavits from Kennedy & Son and the

ub-contractor who discharged the me were read to show that neither caused the discharge of the men because the association had ordered them to, but said that as soon as the facts were brought to their attention they let the men go because they didn't want to hire persons who would strike rather than arbitrate. Justice FitzGerald reserved decision

Mr. Woodruff and Mr. Kirk at Fault.

Justice Aspinall in the Supreme Court Brooklyn yesterday was asked for a writ of peremptory mandamus compelling the Board of Elections to place the name Market court yesterday for examination on a charge of vagrancy. James Forbes of the Mendicancy Society said he had had his eye on Dowd for some time in connection with a fake subscription list that was being circulated among theat lost folk.

Dowd's game was to go to actors and Dowd's game was to go to actors and 1,500 other voters did likewise.

Greenwich Votes to Sell Bonds. GREENWICH, Feb. 21.-The town of Greenwich has voted to sell \$600,000 worth of 4 per cent, bonds to the Norwich Savof 4 per cent. sonds to the Norwich Savings Bank of Norwich, Conn., at par. The town will pay a commission of \$5,000 to a New York broker who made the sale. The town has berrowed more than half a million from local men and it is paying 6 per cent. for most of it.

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FOOTPAD TACKLED SWIFT.

ad Packer's Son Down When Women's Samuel Swift, 23 years old, who says the meat packers, was attacked by a man who tried to steal \$700 he had in his pursued by a mounted policeman. Alpockets and his \$400 fur lined overcoat on Forty-ninth street just east of Seventh avenue about 5 o'clock yesterday morning.

With Miss Helen Edwards, an actres in a Broadway musical comedy, and Mrs. Blanche Dobson Swift had been dining at Martin's and had walked from there to Forty-ninth street. They were talking on the sidewalk when a man! jumped at Swift and knocked him to the street. Policeman Thomas Cava-nagh heard the women scream and reached

Burns, 34 years old, an express driver of 149 West Forty-ninth street. The police say he has served two years in Sing Sing for a burglary in White Plains and that he was fined \$10 by Magistrate Steinert in the West Side police court two weeks ago for trying to pick a man's pocket. When Burns was arraigned before Mag-

when Burns was arraigned before Mag-istrate Moss in the West Side court yes-terday Swift and Miss Edwards were on hand. Swift's left eye was swollen and discolored and his mouth was bruised. His \$400 overpoat was still stained with mud. Burns said he was innocent, but was a committee and was held in

mud. Burns said no and was held in \$2,000 bail for trial.

Miss Edwards, who gave her address as 206 West 109th street, said he had noticed the man following them for half an hour previous to the attack. She said she was afraid he was up to something was urging Swift to take a cab to

FRANK WORK'S DAUGHTER FREE

She Can Drop Batonyi's Name and Mrs. Frances Burke-Roche. Mrs. Frances Work Batonyi's final

lecree of divorce from Aurel Batonyi was signed by Supreme Court Justice McCall yesterday. It permits her to take the name Frances Burke-Roche and to apply for alimony later if she chooses. She has judgment for the costs of the suit, amounting to \$161.

HOT RUNAWAY CHASE,

Man and Woman Knocked Down-Pursuit on Horse and Street Car. A delivery wagon horse scared by an elevated train bolted a mile up the Bowery from Hester street yesterday.

most at the jumpoff the wagon slewed against an elevated pillar and stuck. At Grand street Mounted Polices Frank R. Leary turned his horse and started after the runaway. The going was slippery and several times he came near to a fall. The runaway slackened up

was slippery and several times he came near to a fall. The runaway slackened up a bit as he crossed the excavation at Delancey street and Leary's horse was running neck and neck with him. The policeman reached for the bridle, but his horse shied. Twice again on the long chase the police horse swerved away. As they passed Houston street Leary saw a man bowled over. The man got up and boarded a car. At Cooper Square the runaway swung up Third avenue. Policeman Long saw him, hopped aboard a Third avenue car and asked the motorian to take up the chase. They were gaining, when at Ninth street the horse knocked down Mrs. Celia Zeigler of 1566 Second avenue. He shied as she fell and flashed across the track just ahead of the car. He started down the southbound track and Long, jumping off the car, raced after him.

At Seventh street Long grabbed the bidle.

At Seventh street Long grabbed the bridle. At the same time a man clutched it from the other side and Leary rode up. The police horse was panting, but the other seemed as fresh as at the start.

The driver, an employee of Laubhetts Bros., jewellers, of 65 Nassau street appeared at the Fifth street station to claim the horse and was arrested for leaving the animal unhitched.

An ambulance suggests sent Mrs. Zeiger An ambulance surgeon sent Mrs. Zeiglei home after treating her bruises.

N. Y. U. JUNIOR PROMIS Gymnasium Decorated in Violet

White Some of the Patronesses New York University was enlive last night by the presence of more than couples at the junior promena gymnasium was tastefully decorated violet and white, and the balconies ur violet and white, and the balconies under neath, where the fraternities had the boxes were decorated in the respective plors of the Greek letter folks. Chairm Sutherland G. Taylor, Jr., led the granmarch, and after he had made the circulative followed, and soon the dancie began.

Mittee for ower, and soon the databases.

Among the patronesses of the prowers Mrs. Andrew Carnegie, Miss Hall Gould, Mrs. Cyrus C. Miller, Mrs. Heav Noble MacCracken, Mrs. Henry M. McCracken, Mrs. Francis Hovey Stoddam Mrs. Sutherland G. Taylor, Mrs. H. Cieveiand, Mrs. C. S. Benedict and Mrs.

Stern Brothers

direct attention to an entirely new collection of the most

Jewelry Departments.

Consisting in part of Imported Enamelled and Sterling Silver Noveltie and exclusive and artistic designs in Gold and Platinum Jewelry. Also to-morrow, the following Unusual Values

Sterling Silver Mesh Purses, Heretofore \$7.00, at 4.98

Sterling Silver Mesh Bags, Value \$42.50, at 24.50 Medallion Pendants, with Imitation Pearl Lavalliere,

at \$59.0 Pearl and Turquoise Collars, Former price \$97.50

Former price \$220.00 Enamelled Ball Watches, Former Prices \$165.00 and 225.00

extra thin model, with finest jewelled movement,

Imported Novelties

Consisting of Hat Pins, Lavallieres, Brooches, Earrings,

At One-Third to One-Half Former Prices To-morrow, a Special Offering of

Silk and Cotton Dress Fabrics Consisting of 15000 Yds. Rough Weave Shantungs,

Women's 18 Kt. Gold Watches,

bright messaline finish, in twenty new street and evening shades. Usually sold at 50c Yard

An Importation of High Cost

Novelty Batiste Embroideries At Greatly Reduced Prices

Galloons, Bandings, Edgings, Insertions and Flouncings, One to Eight inches wide, at .12c to 45 Values 25c to 85c Yard

at 58¢ to 95¢ Nine to Eighteen inches wide, Value 95c to \$1.75 Yard 95°, 1:10, 1.25 Flouncings, 27 inches wide,

Value \$1.75 to 2.25 Yard Exceptional Values in

Wornen's Underwear

Lisle Thread Imported Swiss Ribbed Vests, with a choice selection of hand crochet fronts, Value 47c, - 35c Mercerized Imported Swiss Ribbed Vests,

with handsome hand crochet fronts, Silk Mixed Imported Swiss Ribbed Vests, with a variety of elaborate hand crochet fronts, Value \$1.00.

Mercerized and Lisle Thread Combination Suits. Swiss Ribbed, with hand crochet fronts and lace trimmed, \$1.30 Value \$1.95 Italian Silk Vests, lace trimmed, French bands, also with handsome embroidered fronts, at 7.25

Former Price \$2.75

West Twenty-third Street